IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.1743 of 1985

New India Assu Co Ltd .. Plaintiff

versus

Deccan Shipping Co Ltd & anr .. Defendants

Mr.Samir Kazi i/b Mulla & Mulla for Plff

Mr Aditya Khandeparkar i/b Khaitan Jaykar for Defendants

CORAM : D.G. KARNIK, J

DATED : 11th August, 2005.

P.C.

1. Heard learned counsel for the parties. Learned counsel for the plaintiff presses only prayer (a) and costs of the suit. Prayer clause (a) is for recovery of money. In absence of the written statement averments made in the plaint are deemed to be accepted. Suit of the plaintiff is decreed under Order 8 Rule 10 of the Code of Civil Procedure as follows :

" The defendants shall pay to the plaintiff a sum of Rs.80,114.45 and all costs of the suit.

D.G.KARNIK, J